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Report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

Letter dated 19 May 2017 from the Co-Chairs of the Ad Hoc Working Group of the Whole addressed to the President of the General Assembly

We have the honour to transmit to you the attached report** on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, which met at United Nations Headquarters on 17 and 18 April 2017 pursuant to paragraph 317 of General Assembly resolution 71/257. Section III of the report sets out the agreed recommendations of the Ad Hoc Working Group of the Whole to the General Assembly at its seventy-second session. Section IV of the report contains guidance for the Bureau, the Group of Experts and the secretariat of the Regular Process concerning the implementation of the second cycle of the Regular Process.

We kindly request that the present letter and the report be circulated as a document of the General Assembly under the agenda item entitled "Oceans and the law of the sea".

(*Signed*) Juliette **Babb-Riley**

(*Signed*) Carolyn **Schwalger**

* A/72/50.

** The report is being circulated in the language of submission only.

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Report of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

I. Report of the Ad Hoc Working Group of the Whole

1. The eighth meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects was convened pursuant to paragraph 317 of General Assembly resolution 71/257. The meeting of the Working Group was held at United Nations Headquarters in New York on 17 and 18 April 2017.

2. The Co-Chairs of the Working Group, Juliette Babb-Riley (Barbados) and Carolyn Schwalger (New Zealand), opened the meeting. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel delivered opening remarks on behalf of the Secretary-General.

3. Representatives of 44 Member States,[1] seven intergovernmental organizations and other bodies[2] and one non-governmental organization[3] attended the meeting.

4. The following members of the Group of Experts, established pursuant to paragraph 287 of resolution 70/235, also attended the meeting: Anastasia Strati (Greece), Renison Ruwa (Kenya) and Alan Simcock (United Kingdom of Great Britain and Northern Ireland). Renison Ruwa and Alan Simcock, in their capacity as Joint Coordinators of the Group of Experts, participated only on 18 April.

5. The following supporting documentation was available to the meeting: a provisional agenda; an annotated provisional agenda; a format; a proposed organization of work; three technical abstracts of the First Global Integrated Marine Assessment (first World Ocean Assessment) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, on the ocean and the Sustainable Development Goals under the 2030 Agenda for Sustainable Development, and on the impacts of climate change and related changes in the atmosphere on the ocean; elements for guidelines for workshops to assist the first round of workshops of the second cycle of the Regular Process; and revised terms of reference and working methods of the Group of Experts prepared pursuant to the request of the General Assembly in paragraph 310 of its resolution 71/257.

6. The Working Group adopted the agenda (see sect. II below) and agreed on the organization of work as proposed by the Co-Chairs.

7. Under agenda item 4, the Co-Chairs presented the report of the Bureau of the Working Group. A number of delegations made statements under the agenda item, welcoming the report and the intersessional work of the Bureau, including its development of a mechanism for the establishment of the Pool of Experts pursuant

[1] Argentina, Bahamas, Bangladesh, Barbados, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, El Salvador, Gabon, Ghana, Greece, Iceland, India, Indonesia, Iraq, Italy, Jamaica, Japan, Lebanon, Maldives, Malta, Mauritius, Mexico, Morocco, Namibia, Nepal, New Zealand, Nicaragua, Papua New Guinea, Portugal, Republic of Korea, Saint Kitts and Nevis, Slovakia, Spain, Sri Lanka, Togo, Trinidad and Tobago, Ukraine and United States of America.

[2] European Union, Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, International Atomic Energy Agency, United Nations Conference on Trade and Development, United Nations Educational, Scientific and Cultural Organization, United Nations Environment Programme and United Nations Framework Convention on Climate Change.

[3] International Transport Workers' Federation.

to paragraph 311 of General Assembly resolution 71/257 and its development of draft terms of reference for national focal points to be designated by States by 31 May 2017 in accordance with paragraph 312 of the same resolution. The Working Group took note of the report.

8. A number of delegations made general statements under agenda item 5 expressing their appreciation for the work of the Co-Chairs, the Bureau, the Group of Experts and the secretariat during the intersessional period. Delegations highlighted the successful preparation of the technical abstracts, noting that they signified progress in the implementation of the programme of work for the period 2017-2020, that they provided a useful synthesis of the first World Ocean Assessment for policymakers and that they were intended to be policy-relevant and not prescriptive.

9. During its deliberations on agenda item 6, the Working Group considered the elements for guidelines for workshops to assist the first round of workshops of the second cycle of the Regular Process, presented by the Director of the Division for Ocean Affairs and the Law of the Sea on behalf of the Joint Coordinators of the Group of Experts. The usefulness of the elements as a basis for the finalization and preparation by the Bureau of guidelines for the first round of workshops in 2017 to assist the Regular Process was noted. Several delegations expressed the view that hosting of the workshops should be limited to States and relevant United Nations system organizations, funds and programmes.

10. Under agenda item 7, and pursuant to paragraph 317 of General Assembly resolution 71/257, the Working Group considered the technical abstracts prepared in accordance with the programme of work for the period 2017-2020. Delegations took note with appreciation of the abstracts and noted their usefulness in support of other ocean-related processes, in particular the 2030 Agenda for Sustainable Development, General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, the United Nations Framework Convention on Climate Change and the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. Delegations noted that the abstracts would be launched at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, to be held from 5 to 9 June 2017.

11. Under agenda item 8, the Working Group considered the revised terms of reference and working methods for the Group of Experts, which were prepared by the Group of Experts in accordance with paragraph 310 of General Assembly resolution 71/257. Following the presentation of the revised terms of reference, the Working Group adopted the terms of reference and working methods for the Group of Experts for the second cycle of the Regular Process.

12. Under agenda item 9, the Director of the Division for Ocean Affairs and the Law of the Sea reported on the status of the voluntary trust fund for the purpose of supporting the operations of the Regular Process and noted that the trust fund had not received any contributions since the last meeting of the Working Group. Delegations were encouraged to continue to contribute to the trust fund pursuant to the appeal from the General Assembly in paragraph 315 of its resolution 71/257. It was noted that, pursuant to paragraph 316 of its resolution 71/257, the Assembly had requested the Secretary-General to secure the necessary resources, including the option of the regular budget of the Organization, for the programme of work for the period 2017-2020 for the second cycle of the Regular Process in accordance with

established procedures and within the respective purview of relevant bodies. In that regard, resources had been allocated by the Assembly for 2017.

Adoption of recommendations to the General Assembly at its seventy-second session

13. Under agenda item 9, the Working Group also considered the draft recommendations and guidance to the Bureau, the Group of Experts and the secretariat.

14. The Working Group then adopted by consensus the draft recommendations for the consideration of the General Assembly at its seventy-second session (sect. III). The Working Group also adopted the guidance to the Bureau, the Group of Experts and the secretariat (sect. IV).

II. Agenda of the eighth meeting of the Ad Hoc Working Group of the Whole

15. The Ad Hoc Working Group of the Whole adopted the agenda set out below.

1. Opening of the meeting.
2. Adoption of the agenda.
3. Organization of work.
4. General statements.
5. Report of the Bureau of the Ad Hoc Working Group of the Whole.
6. Regional workshops, including elements for guidelines for workshops to assist the Regular Process.
7. Consideration of the technical abstracts in accordance with the programme of work for the period 2017-2020 for the second cycle of the Regular Process.
8. Revised terms of reference and working methods of the Group of Experts.
9. Other matters.
10. Closure of the meeting.

III. Recommendations of the Ad Hoc Working Group of the Whole to the General Assembly at its seventy-second session

16. The Ad Hoc Working Group of the Whole recommends to the General Assembly that it:

(a) Reaffirm the importance of the first World Ocean Assessment as the outcome of the first cycle of the Regular Process;

(b) Recall the importance of making Governments, United Nations system organizations, bodies, funds and programmes, intergovernmental organizations, the scientific community and the general public aware of the first World Ocean Assessment and the Regular Process, and recognize with appreciation the activities undertaken in this regard, in particular those of the secretariat of the Regular Process;

(c) Take note with appreciation of the technical abstracts of the first World Ocean Assessment on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, on the ocean and the Sustainable Development Goals under the 2030 Agenda for Sustainable Development, and on the impacts of climate change and related changes in the atmosphere on the ocean, prepared in accordance with the programme of work for the period 2017-2020 for the second cycle of the Regular Process;

(d) Recognize with appreciation the work of the members of the Group of Experts with respect to the preparation of the technical abstracts, as well as the contribution of a number of members from the writing teams of the Pool of Experts of the first cycle of the Regular Process, in accordance with paragraph 309 of resolution 71/257, to this exercise;

(e) Welcome the holding of the eighth meeting of the Ad Hoc Working Group of the Whole on 17 and 18 April 2017, in accordance with paragraph 317 of resolution 71/257;

(f) Take note of the recommendations and guidance adopted by the Ad Hoc Working Group of the Whole at its eighth meeting;

(g) Take note of the endorsement by the Ad Hoc Working Group of the Whole of the terms of reference and working methods of the Group of Experts for the second cycle of the Regular Process, prepared in accordance with paragraph 310 of resolution 71/257, and annexed to the present report;

(h) Take note of the mechanism for the establishment of the Pool of Experts for the second cycle of the Regular Process[4] developed by the Bureau of the Ad Hoc Working Group of the Whole in accordance with paragraph 311 of resolution 71/257, and encourage the appointment of experts to the Pool of Experts in accordance with the mechanism;

(i) Take note of the terms of reference for national focal points[5] developed by the Bureau of the Ad Hoc Working Group of the Whole;

(j) Welcome the designation by States of national focal points pursuant to paragraph 312 of resolution 71/257;

(k) Take note of the adoption by the Bureau of the Ad Hoc Working Group of the Whole of guidelines for workshops to assist the first round of workshops of the second cycle of the Regular Process, finalized by the Group of Experts in consultation with the Bureau of the Working Group and the secretariat of the Regular Process.

IV. Guidance for the Bureau, the Group of Experts and the secretariat of the Regular Process concerning the implementation of the second cycle of the Regular Process

17. The Ad Hoc Working Group of the Whole decides to:

(a) Take note with appreciation of the technical abstracts of the first World Ocean Assessment on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, on the ocean and the Sustainable

[4] See "Mechanism for the establishment of the Pool of Experts for the second cycle of the Regular Process", available at http://www.un.org/depts/los/global_reporting/global_reporting.htm.

[5] See "Terms of reference for National Focal Points", available at http://www.un.org/depts/los/global_reporting/global_reporting.htm.

Development Goals under the 2030 Agenda for Sustainable Development, and on the impacts of climate change and related changes in the atmosphere on the ocean, prepared in accordance with the programme of work for the period 2017-2020 for the second cycle of the Regular Process;

(b) Note with appreciation that an advance and unedited version of the technical abstract on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction would be made available at the third session of the Preparatory Committee established by General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, to be held from 27 March to 7 April 2017; that an advance and unedited version of the technical abstract on the impacts of climate change and related changes in the atmosphere on the ocean would be made available at the eighteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, to be held from 15 to 19 May 2017; that the technical abstract on the ocean and the Sustainable Development Goals under the 2030 Agenda for Sustainable Development would be made available at the United Nations Conference to Support the Implementation of Sustainable Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, to be held from 5 to 9 June 2017; and that all three technical abstracts will be launched at the latter Conference;

(c) Request its Bureau to finalize and adopt the guidelines for the first round of workshops in 2017 to assist the Regular Process, taking into account the elements for those guidelines prepared by the Group of Experts in consultation with the secretariat;

(d) Endorse the terms of reference and working methods of the Group of Experts for the second cycle of the Regular Process, prepared in accordance with paragraph 310 of resolution 71/257 and attached as an annex to the present report;

(e) Take note of the mechanism for the establishment of the Pool of Experts[4] for the second cycle of the Regular Process, developed by its Bureau in accordance with paragraph 311 of resolution 71/257, and encourage the appointment of experts to the Pool of Experts in accordance with the mechanism;

(f) Take note of the terms of reference for national focal points[5] to be designated pursuant to paragraph 312 of resolution 71/257, developed by its Bureau, and request the secretariat to invite States to designate such national focal points by 31 May 2017;

(g) Request intergovernmental and non-governmental organizations to provide information on recent and ongoing assessments and other processes at the regional and global levels relevant to the Regular Process in order for the secretariat to update the inventory of recent and ongoing assessments and other processes at the regional and global levels relevant to the Regular Process;

(h) Invite States, intergovernmental and non-governmental organizations to provide relevant information for inclusion in the capacity-building inventory of needs and opportunities relevant for the Regular Process to be compiled and maintained by the secretariat.

Annex

Terms of reference and working methods for the Group of Experts of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

I. Introduction

1. The General Assembly, in paragraph 287 of its resolution 70/235 on oceans and the law of the sea, requested the Secretary-General to invite the Chairs of the regional groups to constitute a Group of Experts ensuring adequate expertise and geographical distribution, comprising a maximum of 25 experts, with no more than five experts per regional group, for the duration of the second cycle of the Regular Process, taking into account the desirability of some degree of continuity, and in accordance with the terms of reference of the Group of Experts of the Regular Process.

2. The General Assembly, in paragraph 306 of its resolution 71/257 on oceans and the law of the sea, welcomed the constitution of the Group of Experts as an integral part of the second cycle of the Regular Process and requested the members of the Group of Experts who have been appointed by Member States pursuant to paragraph 287 of resolution 70/235 to serve on the Group of Experts for the duration of the second cycle in an independent and personal capacity.

3. The General Assembly also, in paragraph 310 of resolution 71/257, requested the Group of Experts to review, for their applicability to the second cycle of the Regular Process, the terms of reference and working methods of the Group of Experts of the first cycle of the Regular Process, and to modify them, as appropriate, so as to ensure, among other things, continuous full membership and engagement by the members of the Group of Experts, and inform the Bureau for subsequent endorsement by the Ad Hoc Working Group of the Whole.

4. The present document contains terms of reference and working methods revised, in the light of that request, by the Group of Experts with the help of the secretariat of the Regular Process, considered by the Bureau and adopted by the Ad Hoc Working Group of the Whole.

II. Terms of reference

5. The general task of the Group of Experts shall be to carry out any assessments within the framework of the Regular Process at the request of the General Assembly[*] under the supervision of the Ad Hoc Working Group of the Whole and its Bureau. In particular, the tasks of the Group of Experts shall be:

(a) To draft an outline of questions to be considered in the main assessment or assessments to be undertaken in each cycle of the Regular Process, for approval by the Ad Hoc Working Group of the Whole;

(b) To prepare such further outputs relating to assessments under the Regular Process as the Ad Hoc Working Group of the Whole may include in the programme of work of the Regular Process, for consideration by the Working Group;

[*] It is understood that to carry out any assessment the approval of the General Assembly is required.

(c) To provide specifications of the types of additional expertise that the Group of Experts will need to carry out any assessment, as a basis for appointments, through the regional groups, of members of the Pool of Experts;

(d) To designate from among its members a lead member and, as appropriate, other members to take responsibility, under the overall responsibility of the Group of Experts, for each part, section or chapter of any assessment or other output, subject to the approval of the Ad Hoc Working Group of the Whole or its Bureau;

(e) To propose assignments for approval by the Ad Hoc Working Group of the Whole or its Bureau of members of the Pool of Experts:

(i) To work with the designated lead member of the Group of Experts in drafting working papers and/or draft chapters of any assessment and/or other output;

(ii) To review and comment on material produced for any assignment;

(f) To draft an implementation plan and timetable for every assessment or other output, for approval by the Ad Hoc Working Group of the Whole or its Bureau, and, if necessary, to propose amendments to that plan and timetable for approval in the same way;

(g) To propose general guidance to all those involved in producing any assessment or other output, based on the principles and documents approved by the General Assembly, for approval by the Ad Hoc Working Group of the Whole or its Bureau;

(h) To carry out implementation plans in accordance with their timetables and any such general guidance;

(i) To review all material produced for any assessment or other output, to take such steps as it considers necessary to assure the quality of data and information used in such material, and to take any further steps necessary to bring the assessment or other output to a satisfactory conclusion, subject to the approval of the Bureau if any such action would require expenditure from the trust fund for the Regular Process;

(j) To propose arrangements for approval by the Bureau for the peer review of the draft of any assessment or other output;

(k) In the light of the comments from the peer review, to agree on a final text of any assessment or other output for submission through its Bureau to the Ad Hoc Working Group of the Whole, and to present that text to the Working Group;

(l) To promote engagement among bodies which can contribute to marine assessments, including United Nations agencies, bodies, funds and programmes, other intergovernmental organizations, relevant non-governmental organizations, academic institutions, the scientific community, private-sector bodies and philanthropic organizations, as appropriate;

(m) To perform any other tasks assigned to it by the Ad Hoc Working Group of the Whole.

Composition

6. The Group of Experts shall be composed as follows:

(a) The Group of Experts shall be composed of a maximum of 25 experts and no more than five experts from each regional group. Its composition shall reflect geographic and gender balance;

(b) The composition shall ensure a mix of disciplinary expertise and involve participants from all regions in order to take into account different regional circumstances and experience. All of the main disciplines in the social, economic and environmental sciences should be considered for inclusion;

(c) The experts may be drawn from any type of affiliation (e.g. Government, non-governmental organization, intergovernmental organization, private sector, academic and research institutions, holders of traditional knowledge);[b]

(d) The experts shall have experience and expertise in one or several of the categories described in the collective profile of the Group of Experts;

(e) The experts shall have internationally recognized excellence in their field or fields of expertise;

(f) The experts shall have demonstrated high-level participation in international processes relevant to the marine environment;

(g) The experts shall have the ability to serve in an independent, personal capacity.

Appointments

7. Members of the Group of Experts shall be appointed in accordance with paragraph 287 of General Assembly resolution 70/235, as follows:

(a) Members shall be nominated by the States Members of the United Nations through the five regional groups (African States, Asia-Pacific States, Eastern European States, Latin American and Caribbean States and Western European and other States), with each regional group nominating up to five experts;

(b) Nominations shall take account of the criteria for the appointment of experts;

(c) Members shall be in a position to devote substantial amounts of time to the work of the Regular Process;

(d) Members shall participate in the Group of Experts in their personal capacity and not as a representative of a Government or of any authority external to the United Nations;

(e) The Chair of a regional group shall inform the secretariat of the Regular Process that the regional group has made an appointment to the Group of Experts. The secretariat of the Regular Process shall issue a letter of confirmation of the appointment to the expert and (when they have been designated) inform the Joint Coordinators of the Group of Experts accordingly;

(f) If a member of the Group of Experts for any cause can no longer perform his or her duties (including where this is due to pressure of other commitments) or wishes to resign, he or she shall immediately inform the Joint Coordinators and, through them, the secretariat of this situation. In such a case, and when a member dies, another member appointed from the same regional group shall serve for the remainder of the predecessor's term;

(g) An appointment to fill a vacancy occurring during a cycle may be made at any time, but the appointment shall come to an end at the end of the cycle during which it is made;

(h) Membership shall be renewed at the start of each cycle of the Regular Process. Existing members of the Group of Experts may be reappointed.

[b] See General Assembly resolutions 66/231, 65/37 A and 64/71.

Proprietary rights

8. The United Nations shall be entitled to all proprietary rights, including but not limited to patents, copyrights and trademarks, with regard to material which bears a direct relation to, or is made in consequence of, the services provided to the Organization.

Compensation

9. Members of the Group of Experts shall not receive any honorarium, fee or other remuneration from the United Nations for their participation in the Group of Experts. Members from developing countries, in particular least developed countries, small island developing States and landlocked developing States, will, subject to the availability of resources, receive travel assistance to participate in the meetings to be convened by the United Nations in conjunction with the work of the Group of Experts.

Working methods

10. The working methods of the Group of Experts shall be as follows:

(a) The Group of Experts may operate even if there are vacancies in its composition;

(b) The Group of Experts shall designate two coordinators from among its members, one from a developed country and one from a developing country. The task of the coordinators shall be to take such actions as they jointly consider will facilitate the discharge by the Group of Experts of the tasks which it has been given. The Group of Experts may change the designation of the coordinators at any time;

(c) Communications between the Group of Experts, the secretariat of the Regular Process and States shall be made through a secure website or (if need be) other means, as appropriate;

(d) The Group of Experts shall communicate with the Ad Hoc Working Group of the Whole and its Bureau through the secretariat of the Regular Process and through meetings convened by the secretariat of the Regular Process, within available resources;

(e) When needed, and within available resources, the Group of Experts may meet to discuss areas of work which cannot be dealt with through electronic meetings or other forms of electronic communication;

(f) The Group of Experts shall aim to work by consensus. Where consensus cannot be achieved, the Group of Experts shall ensure that all divergent opinions are appropriately reported in any draft, any proposal or any final text of any assessment or other output.

Secretariat

11. The Division for Ocean Affairs and the Law of the Sea, as part of its functions as the secretariat of the Regular Process, shall serve as the secretariat of the Group of Experts, and provide advice to the Group of Experts when appropriate.